

Town of Mansfield
CONSERVATION COMMISSION
Meeting of 21 October 2009
Conference Room B, Beck Building
MINUTES

Members present: Quentin Kessel, John Silander, Joan Stevenson, and Frank Trainor.
Members absent: Robert Dahn, Peter Drzewiecki, and Scott Lehman. *Others present:* Grant Meitzler (Wetlands Agent).

1. The meeting was **called to order** at 7:35p by Chair Quentin Kessel
2. The draft **minutes of the 16 September 09 meeting**, were unanimously approved, as written by Lehmann and edited earlier by Silander, on a motion made by Stevenson and seconded by Silander.

3. IWA referrals

W1439 (Kovarovics, Daleville Road, driveway relocation). This is a marginal lot for which the applicants have already gone to the ZBA for permission to move the house closer to the road (further away from the wetlands). The only change being requested now is to relocate the driveway from the north end of the house to the south end, in order to have a safer driveway entrance. The new location will place portions of a paved driveway approximately 26 feet from a wetland, as opposed to the previous distance of 68 feet. This may result in additional runoff entering the wetland and therefore result in some negative impact. The CC suggests that a permeable surface be considered for this driveway to mitigate the impact of sheet runoff into the nearby wetlands. The siltation and erosion controls shown on the map should be in place during construction and removed after the site is stabilized. The motion made by Silander, and seconded by Trainor, passed unanimously.

W1440 (Chew, Thornbush Road, house addition and shed in buffer). Silander moved, and Trainor seconded, that there should be no significant negative impact on the wetlands if siltation and erosion controls (not shown on the map) are utilized where necessary. The motion passed unanimously.

W1439 (Kleinfelder/Mittleman, 7 Storrs Road, site investigation). The CC is pleased to see responsible action being taken on the closing of this gas station. The CC would like to be copied on the results of this investigation. Trainor moved, and Stevenson seconded, that there should be not significant negative impact from this testing. The motion passed unanimously.

4. Election of Officers. The slate of Quentin Kessel for chair, Scott Lehmann for secretary, and John Silander for vice chair, was moved by Trainor, seconded by Stevenson, and passed unanimously.

5. Pond Place Student Housing Project. It was reported that the owners of 2 or 3 residential wells in the area, as well as the Carriage House Apartments, had been contacted with regard to having their wells monitored, implying that the drilling and testing for a source of water for this project is moving forward.

6. UConn/DEP drainage agreement. The Commission reviewed the "MEMORANDUM OF AGREEMENT BETWEEN THE [THE] DEPARTMENT OF ENVIRONMENTAL

PROTECTION AND THE UNIVERSITY OF CONNECTICUT," distributed with the CC packet. Of special concern is the portion of the plan to divert storm water runoff from 55 acres from the Eagleville Brook and the Willimantic River watershed (not a public water supply watershed) into the Fenton River Watershed (a public water supply watershed). The purpose of this diversion is to lower the TMDL level of a complex array of pollutants in a portion of Eagleville Brook. It was noted that this would be at the expense of the water quality in the public water supply watershed and seemed contrary to the good practices the University has implemented over the years and also contrary to common sense. The Commission reviewed the rough draft of a letter by Kessel to the DEP on this matter (below) and agreed to the University's Rich Miller's offer to meet with us to explain their rationale.

Adjourned at 8:45 P.M.

Quentin Kessel, Secretary *pro tem*, 22 October 09; approved 18 November 09.

VERY ROUGH DRAFT! NOT FOR CIRCULATION!
Commission
(for consideration at the 9/21/09 CC meeting)

Mansfield Conservation
Storrs, CT 06268
October XX, 2009

Commissioner Amey Marrella
State of Connecticut
Department of Environmental Protection
79 Elm Street
Hartford, CT 06106

Dear Commissioner Marrella:

The Mansfield Conservation Commission would like to make the following comments regarding the "MEMORANDUM OF AGREEMENT BETWEEN THE [THE] DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE UNIVERSITY OF CONNECTICUT" signed by University of Connecticut Vice President Barry Feldman (9/4/09) and Betsey Wingfield, DEP Bureau Chief for Water Protection and Land Reuse (9/24/09).

1. We note that the Mansfield Conservation Commission is constituted in accordance with enabling legislation by the State of Connecticut (Sections 7-131a through 7-131e of the General Statutes) for the purpose of "The development, conservation, supervision and regulation of natural resources, including water resources, within municipal limits. We further note that the University of Connecticut's main campus falls within Mansfield's municipal limits and the statutes encourage the exchange of information between local conservation commissions and the Commissioner of the DEP.

2. Question: Why was the CC not included in the discussions that led to this MOA, or at least kept better informed about the ongoing discussions that led to this MOA? Furthermore, it is our understanding that the Town of Mansfield, while aware that

various projects were being contemplated, were not included in the planning process.

3. The CC has particular concerns regarding the plans to divert stormwater runoff from 55 acres of the Eagleville Brook and Willimantic River watershed (not a public water supply watershed) into the Fenton River Watershed (a public water supply watershed). The stated purpose of this diversion is to lower the TMDL level of a complex array of pollutants in a portion of Eagleville Brook. It appears to the CC that any improvement made to the water quality in the Eagleville Brook by this diversion will be to the detriment of the water quality in the Fenton River. Again, we do not understand the diversion of this "complex array of pollutants" from the Willimantic River watershed (not a public water supply watershed) to the Fenton River Watershed (a public water supply watershed).

4. This decision is contrary to the good decisions made by the University over the past 100 years to protect the water quality of the Fenton River watershed. In the early 1900s, the decision was made to move the school's septic effluent discharge from the Fenton River Watershed to the Willimantic River watershed in order to better protect the quality of the water entering the Willimantic reservoir. Through zoning, the Town has also sacrificed and worked hard to protect the water quality of the watershed. The University established wells along the Willimantic River to avoid pumping the Fenton River dry on an annual basis. More recently, in collaboration with the DEP, the University did an extensive investigation of the Fenton River, resulting in guidelines to limit the pumping from this river during low-flow periods.

These efforts have moved a portion of the Fenton River from the DEP's impaired river category, to a B/A rating; however, the DEP's and the University's goal was, at one time, to work toward an A rating. This diversion, entering the Fenton upstream of one of the University's drinking water supply pumps would seem to be a move in the downgrading direction.

5. With regard to the outflow from Swan Lake (earlier known as Duck Pond!): For years, its outflow to the Eagleville Brook was controlled by a dam, and in the 1950s or 1960's an overflow outlet was placed at its eastern end to divert storm surges into the Fenton River watershed. It is not clear to the CC if this dam is still operable, or if the only outlet to this lake is now into the Fenton River watershed. In more recent years, the University's growing surface runoff problems have not only caused erosion problems for Eagleville Brook, but flooding and erosion problems for the Valentine Meadow area and Roberts Brook below there, as well. The proposed diversion will exacerbate these Fenton River watershed problems.

The Mansfield Conservation Commission looks forward to better communications with the DEP in the future. If this MOA is not rewritten after securing additional local input, at the very minimum, we expect to be given timely notification of hearings. The Commission requests these hearings be held in Storrs to facilitate local input.

Sincerely yours,

Quentin Kessel, Chair
Mansfield Conservation Commission

(Please address communications to me at 97 Codfish Falls Road, Storrs, CT 06269.)

CC: Betsey Wingfield, DEP
Barry Feldman, UConn
Mansfield Inland Wetland Agency
Mansfield Town Council
Willimantic Water Works
WINCOG